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NATURAL RESOURCES

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Director

STATE OF UTAH
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS, AND MINING
1588 West North Temple
Salt Lake City, Utah 84116
(801) 533-5771

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December 27, 1978

Mr. Darrel Hintze
U.S. Forest Service
55 South First East
Richfield, Utah 84701

FILE

Re: Interstate Brick
Koosharem Clay Pit
Piute County, Utah
ACT/031/002

Dear Mr. Hintze:

Thank you for your letter dated October 18, 1978 concerning Interstate Brick's termination and reclamation of operations at the Koosharem Clay Pit. The Division has also received a notice of surety release from the Forest Supervisor, dated December 1, 1978.

The partial reclamation work performed by Interstate Brick is acceptable to the Division since Mr. Fullmer plans to further develop the clay deposit. However, the Division of State Lands requires that Mr. Fullmer, as the lessee, post a reclamation bond during the period of suspension to cover the costs of total reclamation for that portion of the operation involving State land, approximately seven (7) acres.

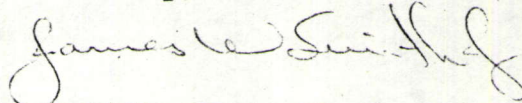
There seemed to be some slight misunderstandings relating to the termination and reclamation of this operation which should be clarified. Basically, a better line of communication needs to be established to fully involve both agencies concerning mining and reclamation plans submitted by an operator, particularly involving dual land ownership. The Division was aware that Interstate Brick was terminating their lease agreement with Mr. Fullmer and had plans to reclaim the area. However, we were not informed that the actual reclamation work was in progress until we happened to visit the area to inspect the disturbance prior to reclamation. When we arrived we were told that the reclamation work was complete and that the Forest Service had released Interstate Brick from all further obligations. Please be advised that the U.S. Forest Service does not have the authority to release an operator from his responsibilities on State land even though the Forest Service may hold the surety to avoid double-bonding by the operator.

Mr. Darrel Hintze
December 27, 1978
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We hope that we can develop a smooth working relationship with the various agencies and coordinate our efforts in regulating mining and reclamation within the State of Utah. Please find enclosed a copy of the Utah Mined Land Reclamation Act and a copy of the State Surface Mining Reclamation and Enforcement Provisions for Coal which should be helpful to you. The latter is essentially the same as the federal interim rules and regulations promulgated under Public Law 95-87. We are currently waiting for the 1979 state legislative session to convene and pass a new version of the Utah Mined Land Reclamation Act, one that is as stringent as the Federal Act, so that Utah can become the regulatory authority for coal mining operations within the State.

If you have any questions please feel free to call or visit with us.

Sincerely,



JAMES W. SMITH, JR.
RECLAMATION SOILS SPECIALIST

JWS/sp

enc: Utah Mined Land
Reclamation Act
Rule MC-700 et seq.

cc: Mr. James J. Butler
Regional Energy Development Officer
U.S. Forest Service
Region Four
324 - 24th Street
Ogden, Utah 84401

DIVISION OF OIL, GAS, AND MINING
BOND ESTIMATE

OPERATOR: Don Fullmer
MINE NAME: Koosharem Clay Pits
LOCATION: Sec. 2, T. 27S., R. 2W.
COUNTY: Piute
DATE: 12-26-78

Operation	Amount	Rate	Cost
<p>AN-UP</p> <ul style="list-style-type: none"> .. Removal of structures & equipment. .. Removal of trash & debris. .. Leveling of ancillary facilities pads and access roads. 		Lump	\$ 500.00
<p>GRADING & RECONTOURING</p> <ul style="list-style-type: none"> .. Earthwork including haulage and grading of spoils, waste and overburden. .. Recontouring of highwalls and excavations. .. Spreading of soil or surficial materials. 	20 Hours	\$ 85/hr.	\$1,700.00
<p>STABILIZATION</p> <ul style="list-style-type: none"> .. Soil preparation, scarification, fertilization, etc. .. Seeding or planting. .. Construction of terraces, waterbars, etc. 	7 Acres	\$175/ac.	\$1,025.00
<p>LABOR</p> <ul style="list-style-type: none"> .. Supervision. .. Labor exclusive of bulldozer time. 	20 Hours	\$ 10/hr.	\$ 200.00
<p>SAFETY</p> <ul style="list-style-type: none"> .. Erection of fences, portal coverings, etc. .. Removal or neutralization of explosive or hazardous materials. 		Lump	\$ 500.00
<p>MONITORING</p> <ul style="list-style-type: none"> .. Continuing or periodic monitoring, sampling & testing deemed necessary. 	4 annual inspections	\$ 50 ea.	\$ 200.00
<p>INFLATION</p> <p>2 years @ 1.1025</p>			\$4,125.00
			423.00
		Total	\$4,548.00

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<p>STABILIZATION</p> <ul style="list-style-type: none"> Soil preparation, scarification, fertilization, etc. Seeding or planting. Construction of terraces, waterbars, etc. 	7 Acres	\$175/ac.	\$1,025.00
<p>OVERSIGHT</p> <ul style="list-style-type: none"> Supervision. Labor exclusive of bulldozer time. 	20 Hours	\$ 10/hr.	\$ 200.00
<p>CLEANUP</p> <ul style="list-style-type: none"> Erection of fences, portal coverings, etc. Removal or neutralization of explosive or hazardous materials. 		Lump	\$ 500.00
<p>MONITORING</p> <ul style="list-style-type: none"> Continuing or periodic monitoring, sampling & testing deemed necessary. 	4 annual inspections	\$ 50 ea.	\$ 200.00
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AN-UP			
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.. Leveling of ancillary facilities pads and access roads.			
RADING & RECONTOURING			
.. Earthwork including haulage and grading of spoils, waste and overburden.	20 Hours	\$ 85/hr.	\$1,700.00
.. Recontouring of highwalls and excavations.			
.. Spreading of soil or surficial materials.			
BILIZATION			
.. Soil preparation, scarification, fertilization, etc.	7 Acres	\$175/ac.	\$1,025.00
.. Seeding or planting.			
.. Construction of terraces, waterbars, etc.			
OR			
.. Supervision.	20 Hours	\$ 10/hr.	\$ 200.00
.. Labor exclusive of bulldozer time.			
ETY			
.. Erection of fences, portal coverings, etc.			
.. Removal or neutralization of explosive or hazardous materials.		Lump	\$ 500.00
STORING			
.. Continuing or periodic monitoring, sampling & testing deemed necessary.	4 annual inspections	\$ 50 ea.	\$ 200.00
ER Inflation 2 years @ 1.1025			\$4,125.00 423.00
		Total	\$4,548.00

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<p>INSPECTION</p> <ul style="list-style-type: none"> Supervision. Labor exclusive of bulldozer time. 	20 Hours	\$ 10/hr.	\$ 200.00
<p>CLEANUP</p> <ul style="list-style-type: none"> Erection of fences, portal coverings, etc. Removal or neutralization of explosive or hazardous materials. 		Lump	\$ 500.00
<p>MONITORING</p> <ul style="list-style-type: none"> Continuing or periodic monitoring, sampling & testing deemed necessary. 	4 annual inspections	\$ 50 ea.	\$ 200.00
<p>INFLATION</p> <p>2 years @ 1.1025</p>			\$4,125.00 423.00
		Total	\$4,548.00